

REMARKS

In the Office Action dated May 18, 2004, claims 1-4, 8, 9, 11, 12 and 14 were rejected under 35 USC 102 on the grounds that they were considered to be anticipated by the Merchant et publication (US 2002/0128815), and claims 10, 13 and 15 were rejected under 35 USC 103 as being unpatentable over the Merchant publication. Claims 5-7 were identified as containing allowable subject matter, which is noted with appreciation. For the reasons presented below, it is respectfully submitted that all pending claims are patentable over the Merchant publication. Reconsideration and withdrawal of the rejections is respectfully requested.

Claim 1 recites a library of generic commands that can be applied to different types of network devices, and converters that convert the generic commands into device-specific commands. The claim further recites a database storing configuration parameters for the network devices, and a configuration interface "which receives said parameters from said database and issues generic commands to said library ..."

In rejecting the claim, the Office Action refers to element 410 in Figure 4 of the Merchant publication as the claimed database. However, the patent does not disclose, nor otherwise suggest that this element is a database storing configuration parameters. Rather, it is described as a device-specific module that "provide[s] information that allows the device-independent commands to be translated to device-specific commands." (Paragraph 44, lines 5-7). In other words, these modules are the components that perform the functions described in Paragraph 29 and Paragraph 43, lines 6-10 cited in the Office Action.

With respect to the claimed configuration interface, the Office Action refers to the Merchant publication at paragraphs 21-23 and 28-32. However, Applicant is unable to find any teaching of the claimed subject matter in these portions of the patent, or elsewhere within its contents. In particular, there is no disclosure of an interface that receives configuration parameters from a database. (As noted above, the publication does not disclose a database storing configuration parameters.) Nor is it apparent from the Office Action what elements in the Merchant publication are considered to be an interface that issues generic commands to cause network devices to configured in accordance with received parameters.

For at least the foregoing reasons, therefore, it is respectfully submitted that the subject matter of claim 1 is not anticipated, nor otherwise suggested, by the Merchant publication. Further distinguishing aspects of the invention are set forth in the dependent claims. However, a detailed discussion of these features is believed to be unnecessary at this time, in view of the fundamental differences identified above.

It is respectfully submitted that new claims 16-21 are likewise patentable over the Merchant publication, for the same reasons.

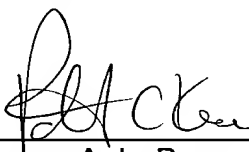
Reconsideration and withdrawal of the rejections, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 18, 2004

By:

 Reg No 32,858
James A. LaBarre
Registration No. 28,632

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620